

## **ECONOMIC DEVELOPMENT COMMITTEE MINUTES**

The North Ogden Economic Development Committee (EDC) met on April 30, 2013 at 5:32pm in the Council Chambers of the Municipal Building, 505 East 2600 North, North Ogden City, UT 84414. Notice of time, place and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on April 26, 2013.

### **Present:**

Richard G. Harris	Mayor
Larry Residori	Planning Commission Member
Jenice Jones	North Ogden business owner (arrived at 5:34pm)
Shawn Maynard	North Ogden business owner
Rich Brewer	Business Leader/Resident
Charles Lindquist	Business Leader/Resident
Matthew Godfrey	Better Cities (arrived at 5:35 pm)
Kent Bailey	Council Member
Justin Fawson	Council Member
Wade Bigler	Council Member
Cheryl Stoker	Council Member
Brent Taylor	Council Member

### **Excused:**

Keith Foulger	Community Member
Jan DeBloois	Community Member

### **Staff:**

Ron Chandler	City Manager
Craig Barker	Community Development Director
Stacie Cain	Community Development Coord./Deputy City Recorder

### **Visitors:**

Chris Cave	Troy Herold
John Reeve	Jack Barrett
Eric Thomas	

### **Welcome**

Mayor Harris welcomed those in attendance.

### **Invocation and Pledge of Allegiance**

Rich Brewer gave the invocation and led the audience in the Pledge of Allegiance.

**1. Approval of February 19, 2013 Economic Development Committee Minutes**

**Rich Brewer made a motion to approve the February 19, 2013 Economic Development Committee Minutes. Larry Residori seconded the motion.**

**Voting on the motion:**

<b>Mayor Harris</b>	<b>yes</b>
<b>Brent Taylor</b>	<b>yes</b>
<b>Rich Brewer</b>	<b>yes</b>
<b>Charles Lindquist</b>	<b>yes</b>
<b>Larry Residori</b>	<b>yes</b>
<b>Wade Bigler</b>	<b>yes</b>
<b>Jenice Jones</b>	<b>yes</b>
<b>Shawn Maynard</b>	<b>yes</b>
<b>Justin Fawson</b>	<b>yes</b>
<b>Cheryl Stoker</b>	<b>yes</b>
<b>Kent Bailey</b>	<b>yes</b>

**The motion passed unanimously.**

**\*\*Agenda Item 3 was heard out of order to accommodate visitors present at the meeting.\*\***

**3. Discussion and/or recommendation on commercial development on the west side of Washington Boulevard**

A staff memo from City Manager Ron Chandler explained the Economic Development Committee (EDC) considered a multi-family use development on the Country Boy Dairy property on February 19, 2013. The position of the committee was represented by Matthew Godfrey before the Planning Commission on April 3, 2013 and the rezoning request was tabled. The Commissioners asked the Economic Development Committee to provide input as to the impact this request will have on adjacent properties. The Planning Commission is also considering the creation of a mixed-use zone for these types of developments. The EDC packet for tonight's meeting includes a sample ordinance that the Planning Commission is using as the beginning point of their discussion as well as the following documents: minutes of the Planning Commission April 3, 2013 meeting; draft minutes of the EDC February 19, 2013 meeting; concept drawing discussed by the EDC on February 19, 2013; North Ogden City's General Plan Map; zoning map of the general area of 1700 North and Washington Boulevard; aerial view of the subject property; and a mixed use sample ordinance.

Mr. Chandler summarized his staff memo and highlighted some of the details of the rezone request submitted by the property owner, noting the request is to rezone property from Commercial C-2 to Residential R-4, which is a multi-family residential zone. He reviewed the original development concept plan for the Mystery Meadows Subdivision and noted commercial zoning would extend 450 feet back from Washington Boulevard and would then transition into

multi-family residential zoning. He stated the Planning Commission has asked the EDC to take an official action to provide a recommendation regarding the project and rezone request; the Planning Commission will then provide an answer to Jack Barrett, the property owner, so that he can proceed with his project. He then reviewed the aerial view of the subject property and noted the property is currently designated for commercial development and that the current use of the property to the west of the subject property is single-family residential. He noted the rezone request being made is not consistent with the City's General Plan, but neither is the current designation of the property; the General Plan has not been updated since 2000 and a proposal has been made that the City Council fund an update to the Plan in the Fiscal Year (FY) 2013-2014 budget. He then reviewed the guiding statement of the Plan and noted the low density designation for the area in consideration should provide for single-family detached housing or planned residential unit developments (PRUD); the density should range from one unit per acre to less than four units per acre. He noted the Plan also discussed multi-family developments and states these types of residential areas traditionally include rental apartments and condominiums and are often located along major arterial streets adjacent to community commercial centers or adjacent to existing multi-family developments; they can also buffer businesses and professional offices, which can be creatively mixed with housing areas. He stated the Plan notes that the appropriate location of this type of land use can provide residential dwellings adjacent to commercial developments. Mr. Chandler stated he would review the four options he and Community Development Director Craig Barker feel are available to the EDC: one is to recommend that the Planning Commission grant Mr. Barrett's request to change the zoning of the property to R-4. He then reviewed the uses permitted in an R-4 zone and noted multi-family dwellings are a conditional use in an R-4 zone on sites five acres or greater with less than eight units per building; multiple buildings can be located on a parcel as long as each building has no more than eight units. He stated there is no density according to the ordinance and the only limit is placed on the number of units in a building. Mr. Barker stated that is correct and noted the City's ordinance provides an explanation of how building density is calculated. Mr. Chandler stated the next option available to the EDC is to maintain the master plan designation of the property, which is zoning allowing for single-family units. He then stated the property is currently zoned for commercial use and a third option available to the EDC is to deny Mr. Barrett's rezone request and maintain the current zoning of the property. He noted the purpose of a C-2 zone is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the City and there are a variety of uses allowed in a C-2 zone. He reviewed the General Plan statement regarding the focus of commercial development. He also reviewed the Economic Development Plan, which was adopted three years ago, and noted its vision statement is "an attractive, inviting, and well planned community with peaceful bedroom community neighborhoods complemented by a thriving commercial district offering retail, shopping, dining, entertainment, and professional services. Economic growth is important to North Ogden for two key reasons: first, North Ogden has an increasing residential population and it is important for most residents to be able to shop relatively close to their homes for convenience and environmental issues; second, businesses are large contributors of tax revenue to the City, including sales tax revenues and property tax revenues. North Ogden produces a relatively small sales tax for a city of its population and a strong commercial district filled with successful businesses would contribute significantly to the City's tax revenues thereby enabling the City to continue to provide high quality services." Mr. Chandler then stated the fourth option available to the EDC is to recommend to the Planning

Commission that they readdress the property and the request after they have completed their work relative to the creation of mixed-use zone; the Planning Commission is just beginning the process of discussing that and he reiterated he has provided the EDC with a sample mixed-use development ordinance that has been provided to the Planning Commission for review and consideration. He stated a mixed-use zone requires projects to provide a mix of uses, such as commercial, entertainment, recreation, open space, and a variety of higher-density residential types that create a quality design and village feel. He reviewed an architectural example of a traditional mixed-use development. He stated the development plan being recommended by Mr. Barrett is more of a transitional development that provides for commercial and then higher-density residential development transitioning into single-family residential development. He reiterated the Planning Commission is considering an ordinance to create a mixed-use zone in the City and that ordinance will ultimately be forwarded to the City Council for final action. He stated there may be other options available to the EDC, but he wanted to present the four options that he and Mr. Barker feel are most likely. He reiterated the Planning Commission has tabled consideration of the applicant's rezone request until they are able to receive a recommendation from the EDC regarding a path forward. He stated one major concern of the Planning Commission was how the proposed development would impact neighboring properties.

Council Member Bigler stated he is confused by this discussion; during the last EDC meeting this issue was discussed and he thought there was a consensus among the members that the request should be denied. He stated that he thought that discussion would be used to give the Planning Commission direction and he is not sure why this discussion is necessary again. Mr. Barker stated the Planning Commission wanted some information about how the EDC felt about the entire south-western portion of the City and he added the EDC did not make a formal motion regarding the issue at their last meeting. He stated when the subject property was originally zoned for commercial use there was discussion about extending that type of zoning all the way to the southern border of the City. He noted there is no guidance from the General Plan because it says that the entire area should be developed in single-family homes except for the frontage. Council Member Bigler stated that may be the guidance. He then stated that Mr. Chandler mentioned that the City Council will get to see the ordinance regarding creation of a mixed-use zone. Mr. Chandler stated that is correct. Council Member Bigler asked what the EDC is being asked to spend time on this evening. He stated this is the same issue the group focused on at their last meeting.

Matthew Godfrey stated that he wanted to provide his input regarding what the EDC is being asked to do. He stated he was asked to represent the perspective of the EDC and there are two issues at hand. He stated the first is that there was a very specific plan presented to the Planning Commission and they were asked to take action on that plan. He stated he represented to the Planning Commission that the EDC had not reviewed the plan because they did not have it. He stated the EDC did not opine on whether the plan was appropriate, but was discussed among the EDC was the concern regarding the economic impact of a plan similar to this and what it would do the community. He stated the concern from the EDC was that the plan would provide a reduction in revenues. He stated there was a Master Plan of sorts done in terms of creation of an economic vision and there were concerns from the EDC about how this plan would impact that greater plan and adjacent properties. He stated the discussion with the Planning Commission got more specific in terms of specific uses and impacts and he was asked to confer with the EDC and

come back and explain the economic impact that this specific plan would have relative to the existing zoning. He stated he has come prepared to provide the EDC with more hard data in terms of the economic impact. Council Member Bigler stated the specific plan was discussed during the EDC's last meeting. Mr. Barker stated the plan has been revised since it was originally presented.

Mayor Harris referenced the zoning map of the City. He stated the City has an annexation plan that has been adopted via ordinance and the City's boundary could potentially change in the future. He stated it is not reflected on the zoning map, but there are certain properties that will be part of the City in the future and that should be considered during this discussion.

Mr. Godfrey then stated that he has analyzed the economic impact of the different land uses in the area. He stated he examined similar commercially zoned properties within the City to see what financial impact they provide per acre on the community. He stated he also looked at proposed uses, which he categorized as R-4 because that suits most of the uses proposed in Mr. Barrett's plan. He stated he reviewed the densest R-4 developments he could find and he pulled actual tax records for those and analyzed them on a per acre basis. He stated he also looked at mixed-use and he noted there is a proposed project in North Ogden for a mixed-use development that will not be officially considered until passage of a mixed-use ordinance. He stated he took that concept plan, which is not a very dense plan like what would be seen in downtown Ogden or Salt Lake, and analyzed it based on the tax rates in North Ogden. He stated that on a revenue per acre basis, which involves property taxes at North Ogden's rates, sales taxes (1/2 of 1% driven by location), and revenue generated by retail uses (55% of the assessed values). He stated that on a per acre basis, what he believes to be a most profitable business would bring in about \$22,000 per acre. He stated the mixed-use proposal, which is closest to the subject property and is the newest construction, would bring in just over \$2,000 per acre. He stated that the mixed-use proposal, which is also not too far from the subject property, based on the pro-forma that has been developed using the U.S. average of per square-foot revenue for the retail area and based on the value of the construction for the rest of the project, would bring in \$27,840 per acre. He stated if the EDC is simply interested in what will bring the most revenue to the community, mixed-use generates more revenue than even big-box retailers by about 26 percent.

Council Member Bigler asked Mr. Godfrey how he determined the sales tax revenues that would be generated. Mr. Godfrey stated he actually asked the big-box retailer for their sales tax revenue numbers. Council Member Bigler asked how the other figures regarding how much residents are purchasing were determined. He stated a young couple will not be purchasing as many groceries or other items purchased by a larger family. Mr. Godfrey stated that there is actually 30,000 square feet of retail space in the proposed mixed-use development, such as small shops, cafes, etc. and he took the 30,000 square feet and multiplied it by the average retail sales per square foot nationally and derived a total sales for the space. He stated those numbers were included in the pro-forma. He stated that if a 10 acre parcel is rezoned from commercial to R-4, for every 10 acres the City is losing about \$250,000 of tax income.

Council Member Taylor asked if the figures provided by Mr. Godfrey were annual amounts. Mr. Godfrey answered yes. He stated that if the property were zoned for single-family development according to the General Plan, those numbers would decrease even further to a level below

\$1,000 per year. He stated this information is provided to show there is a substantial revenue swing associated with changing the designated use of a property.

Council Member Bailey asked why mixed-use developments generate more tax revenues for a community. Mr. Godfrey stated that there is more land being developed in a mixed-use development compared to big-box stores that typically have large parking areas. He stated mixed-use developments typically include two stories of development.

Jenice Jones asked if the data takes into consideration the fact that the high density residential units may not be rented or sold. Mr. Godfrey stated the numbers are irrespective of whether the units sell or lease.

Council Member Bigler asked what vacancy percentage was used in the calculations. Mr. Godfrey stated that property taxes are typically based on the last sale price or the construction cost of the project so it does not matter if the property is leased or not. He stated that will not be an issue because there is 95 percent occupancy in the area. Ms. Jones stated that the vacancy rates may not impact tax revenues, but it does impact an area if a property is overbuilt and there are vacant apartments or houses that are not needed. She asked if that is being taken into consideration. Mr. Godfrey stated he did not take into consideration what there is a market for; he did not do a market analysis.

Shawn Maynard stated mixed-use allows for residential or commercial, but he asked if a mix of both is required. Mr. Barker answered yes. He stated most ordinances he has examined require a percentage of each use to make up the mixed-use development and they call into consideration vertical and horizontal development.

Council Member Bailey stated it appears the analysis does not take into consideration the disposable income of the type of people that will be living at the development. He stated if the property will develop strictly for commercial use it would generate sales and property tax revenues, but if residential development is also included in the site there will be people living there that will also be spending money in the community and it is difficult to analyze that level of spending. He asked if that is taken into consideration. Mr. Godfrey stated that he simply analyzed the potential revenue schedule of the land based on the three different development scenarios that have been discussed.

Council Member Bigler stated that for residents there is more to building a community than just revenue. He stated it is important to consider what a development does to the City. He stated he wondered if that type of housing would bring "some of Ogden a little bit further north" instead of families and homes with children. He stated he knows that multi-family developments are popular right now because they allow developers to make a lot of money and if the only item for the City to consider were revenue generation there are several properties in the City that could be home to high-density housing to increase the population and revenue. He stated the financial figures are good to understand, but there are other factors that may be more important when considering the development of a community. He stated that in his mind there is a commercial district and the City wants it to be successful, but there should be some separation, more than a physical separation, when considering what type of residential developments should be built in



the City and the City needs to consider more than just the amount of revenue the project will generate. Mr. Godfrey stated he totally agrees. Council Member Bigler stated most residents would likely agree as well.

Council Member Fawson stated that was Mr. Godfrey's point regarding the appropriateness of the development. Mr. Godfrey stated that is correct. He stated the points Council Member Bigler raised are critical to the discussion.

Council Member Bailey stated that this is the EDC and not the City Council and they should be considering things from an economic development perspective regardless of the other issues. He stated the Planning Commission has a duty to consider other issues. Council Member Bigler stated that the discussion is relative to changing the zoning and that will ultimately be considered by the City Council. Council Member Bailey stated that is correct and that issue should not be dealt with at this level.

Council Member Taylor stated that the EDC also needs to think about the demand that each potential development would place on the City's services. He stated he lives in the neighborhood adjacent to the subject property and the people he has spoken to are not excited about the development proposal. He stated that after listening to the options presented by Mr. Chandler he would be interested in choosing option three or four to leave the property zoned for commercial use or to consider a mixed-use development. He stated mixed-use developments can be done in a very attractive way.

Mr. Maynard stated that his understanding is that the City's population could potentially double as it builds-out and there are really only two commercial zones: one on Washington Boulevard and the other along 2700 North. He stated he thinks it would be a huge mistake to forego commercial opportunities and opt for residential developments instead and regret that decision when the City is built-out. He stated the charter of the EDC is to create a thriving business community and as a business owner himself he would like to see Washington Boulevard be developed for commercial use. Council Member Bigler stated he agrees with that and that was discussed at the last EDC. He stated that it is important to think to the future and the City does not currently have a large commercial district. He stated it would be a mistake to change the zoning in the long term.

Mayor Harris then asked Planning Commissioner Thomas to provide the EDC with a brief explanation regarding what the Planning Commission is seeking from the body. Commissioner Thomas stated the Planning Commission had asked for a recommendation from the EDC relative to overall zoning and planning of the entire area rather than the individual parcels. He stated a spotlight has been shone on the subject property, but the Planning Commission wants to consider the rest of the area because if they are to recommend a zoning change they need to understand how it will impact adjacent properties. He stated some residents have voiced their opinions regarding the zoning and development of the property and the Planning Commission would like to understand the EDC's recommendation regarding development of the entire area. Mr. Barker added there are additional areas and he referenced a parcel of property zoned for manufacturing development to the west of the subject property. He asked if the EDC would consider expansion of that zone or the zone that is home to storage units in the area. Mr. Chandler stated the broad

scope is very broad and that is generally what will be found in a General Plan. He stated that discussion of how the entire area should develop may be beyond an evening's discussion. He stated that if the Council approves funding to update the General Plan the City will follow a process including citizen involvement regarding how an area should develop. He stated the purpose of a General Plan is to give the Planning Commission and City Council guidance about how a property should be zoned and developed.

Council Member Fawson stated speaking in general terms he tends to like the idea of a mixed-use development. He stated he feels it has the potential of softening hard commercial lines and it lends itself to retail, entertainment, and other types of services that he feels the residents are looking for after hearing from them. He stated he would like to see mixed-use pursued in the longer term plan of the City.

Council Member Bigler stated he appreciates Commissioner Thomas' explanation of what the Planning Commission is looking for. He stated that he is not sure how far west from Washington a line should be drawn, but it would be his desire to preserve the corridor for commercial development. He stated during the last meeting he said that he would not mind neighborhoods including single-family dwellings west of the commercial zones. He stated he is concerned about filling up every piece of property that is left with townhomes and condominiums stacked on top of each other. He stated there may be residents that want that type of development but he has not heard from them. He stated filling in the City with low-income housing would be a mistake in the long term. He stated that type of housing may generate a lot of revenue for the City, but it is not what he would like to see.

Troy Herold stated he is a licensed landscape architect and land planner for Aspen Land Development Services. He stated that he was invited to become involved in the project by Mr. Barrett and Mr. Cave of Reeves and Associates to try to help analyze the site and what can be done with it. He provided a brief explanation of his experience in this field. He then provided the EDC with a handout regarding various developments in the City and surrounding cities and he reviewed the status of the developments. He stated he has considered how the status of these various developments impact the subject property and the development that can take place there. He stated he has talked to several commercial brokers about the area as well as reviewed the City's current economic development plan and it does not leave room for a commercial development at the subject property; if the property were developed commercially and if that development were successful, it would rob the rest of the community. He stated it would not be possible to develop a nice commercial development at the subject property without taking from the other developments in the area. He stated there are not enough rooftops within the area to support the amount of retail land that currently exists. He stated he feels Mr. Godfrey is on the right track in trying to determine other appropriate development types besides strict retail. He stated that he has met with the Wasatch Front Regional Council (WFRC) and other planning agencies in the area about this issue. He added he has heard the concerns expressed this evening about affordable housing, but the thing to focus on is the look and feel of those types of developments to make sure they are high quality. He stated that the type of project that would be built is a high quality project and he referenced other projects of the same type in other areas noting they are high quality homes that provide very nice amenities. He then stated the apartment project that Mr. Barrett would like to build is higher density than the City's ordinance



allows; typical apartment buildings are four stories with 32 units. He added that the frontage of the property would provide retail development that makes sense for the community. He stated the same types of materials will be used throughout the entire development to tie it all together.

Council Member Bailey asked if the photos included in Mr. Herold's handout are from developments in Herriman. Mr. Herold stated there are photos of a development in Herriman and others of a development in Sandy. He then reviewed a layout of the potential development and stated it is not final and is simply a first look. He provided larger scale photographs of similar developments to display the type of architecture, materials, and layout that could be used at the subject property. He stated that another concern is relative to open space and he noted there is quite a bit of open space provided in the proposed development especially when compared to other developments in other cities. He stated he would like to discuss the proposal further with the Planning Commission and work on site design with them. He stated he has talked with WFRC and the Utah Transit Authority (UTA) regarding mass transit service to the area and how to create pedestrian flow in the development that will ultimately connect to Washington Boulevard. He stated UTA will potentially provide a transit stop at a nearby intersection if increased pedestrian flow is present. He stated he feels the reality is that the site does not support commercial development; it can support a mixed-use development similar to what Mr. Barrett is proposing. He stated he does not see the demand for a three or four story development including retail and office space on the bottom floor. He stated there is demand along the frontage for retail development and it may be possible to mix apartments into the frontage to provide a better mix. He stated that according to the WFRC there is a demand and need for entry-level homes and workforce housing. He stated these are not low-income houses, but homes that the next generation can afford that will allow them to live in the community they grew up in.

Council Member Taylor asked how many households the footprint would produce and how many commercial or retail developments could be included in the layout. Mr. Herold stated that the current rendering of the project shows a reduction in the commercial footprint to 250 feet. He referenced the types of businesses that would locate at the development and noted they will likely not be national commercial chain stores.

Mr. Chandler asked if his understanding was correct that the amount of commercial space at the development had been reduced by 250 feet since the initial plan was presented. Mr. Herold stated that is correct. Mr. Barrett then added that the development includes an assisted care facility, which is allowed under C-2 zoning. Mr. Chandler stated that he is not talking about the assisted care center. He stated that the original design provided by Mr. Barrett included 460 feet of commercial use and it appears that 200 feet of that space had been eliminated. Mr. Herold stated 450 feet of commercial development does not work for Mr. Barrett; it would work for a big-box store, but the City will not get a big-box store on this site. Mr. Chandler stated there may be differing opinions regarding the definition of mixed-use. He stated that the plans presented by Mr. Barrett are transitional zoning developments. He stated that the type of mixed-use development that the Planning Commission is thinking of included residential and commercial uses on the same piece of property and the plan Mr. Barrett is presenting has the uses separated to provide a transitional development. Mr. Herold stated that he is not disagreeing with that statement and he stated a good example of a mixed-use development is The

Junction in Ogden, but he is not really sure that meets the definition of a mixed-use development. Mr. Godfrey clarified The Junction is considered an urban mixed-use development rather than a suburban project.

Council Member Taylor inquired as to the number of households the proposed design would produce. Mr. Herold stated the current design would provide 300 apartment units and 100 townhome units.

Council Member Stoker inquired as to the level of the assisted care facility. Mr. Barrett stated he has only discussed the assisted care facility in general terms, but he believes there is a market for all levels of assisted care.

Council Member Bigler asked Mr. Barrett if he has conducted a study regarding businesses, economic growth, and the potential for future growth and business development. He asked if there is data that shows that a big-box development would not be suitable for the area as the City continues to grow. Mr. Herold stated he has not conducted that type of study, but he knows companies that could conduct such a study and provide the City with that information. He stated he would love nothing more than to design a lifestyle retail center similar to Station Park in Farmington, but that type of project would not be suitable for the subject property. He stated he works with three commercial brokers on a regular basis and all three have told him that the frontage would be suitable for retail but that the back portion of the property should be developed with another use in order to make the project viable long term. He stated the community is basically locked in at this point. Council Member Bigler asked why it is a good idea to construct townhomes rather than single-family dwellings. Mr. Herold stated that design will increase the density at the project. He stated he has considered what makes sense for the City and the WFRC has said that by 2040 there will be a 70 percent population growth in the area and the community is already, for the most part, pricing out younger home buyers and he wondered where the next generation will live other than their parent's basements. He stated if there are not housing opportunities for the next generation, the City will run into a situation similar to what occurred in Park City where most of the people that work in the city are required to commute because they cannot afford to live there. He stated he is not opposed to a mixed-use development, but he is not sure that type of development is suitable for the subject property.

Mr. Godfrey stated he has conducted an analysis regarding the growth potential and income bracket of the community. He stated there will be a two percent growth in the demographic of people earning \$50,000 to \$125,000 annually. He stated that demographic will continue to grow until build-out because the majority of the developable land available is located on the bench areas of the City. He stated not only does the City have a population growth that exceeds the national average, but the demographics of household incomes are far above the national average as well. He stated the highest producing Wal-Mart in the State of Utah for many years is the store located in Harrisville. He stated there are two big-box retailers currently working on projects in North Ogden, so to say there is not demand and that those types of companies will not locate in this community is not what is actually occurring today. He stated that it is important to understand that retail changes every 20 years; when Wal-Mart and Target started their average store size was 220,000 square feet, but Wal-Mart has transitioned to a model that includes a 90,000 square foot store. He stated traditional big-box retail centers are on the decline and store

sizes will continue to decrease in order to adapt to the mixed-use concept. He stated many believe the economic forecast moving forward is not rosy so people will be considering how to save money; if they can live close to where they work and where they shop so they have the ability to walk to destinations, they may be able to eliminate one of their vehicles in order to reduce costs. He stated that will also reduce costs for the City as well. He stated that no one knows what will be in the City in 20 years. He added the last element he was asked to consider is how the proposed development will impact the surrounding area, so he used Google Earth to locate the subject property and the surrounding area and he overlaid the requested zoning on top of the property so the EDC can have a bird's eye view of the particular parcel and the zoning around it as well. He stated that changing the zoning and use of the subject property will have a dramatic impact on the other similarly zoned properties surrounding it. He stated their ability to have uses according to the current zoning would be very difficult if the zoning of the subject property is changed. He stated his recommendation would be that everything needs to be done comprehensively; however if the zoning of the subject property is changed it will likely set the pattern for the surrounding properties as well. He stated he does not believe that the entire area will develop in a commercial fashion over the next couple of years, but certainly over the next 20 years as the retail patterns change, it is wise to have opportunities available to the City.

Mr. Herold stated that he agrees with everything Mr. Godfrey said, with one caveat: retail does change every 20 years, but the downtown corridor development of North Ogden will evolve and change many times and he would love to see it densify and turn into a true downtown signature space. He referenced development in West Valley City as an example and explained their downtown area was redeveloped into a multi-story mixed-use development that brings the entire community into the area. He stated next to the development there are multi-family projects and the area is served by the Trax line. He stated he can see a similar development occurring in North Ogden's downtown area, but he struggles to see such a development being successful on the subject property due to the fact that it is only a mile away from the true downtown area of the City. Council Member Stoker stated there are other developments that are within a mile of each other that are successful. Mr. Herold stated that is true, but most big-box retailers try not to build within five miles of each other in urban areas. He stated the Wal-Mart stores in Harrisville, Ogden, and Riverdale are each 4.5 miles apart from each other. He stated if there was an opportunity to get a big-box retailer to build on the subject property, Mr. Barrett would love that, but they do not believe it is realistic.

Ms. Jones asked why the housing aspect of the development would jump from apartments to townhomes and she asked how that compares to the community on 1900 North. Commissioner Residori stated that community is a PRUD that contains several duplexes. Ms. Jones stated she wondered how that type of development would compare to Mr. Barrett's proposed development and she stated she believed most homeowners would like to have a little bit of property with their home. Mr. Barrett stated that is all based on market demand.

Mr. Herold stated he understands that he has provided the EDC with a lot of information this evening and he does not expect them to make a decision, but he is hopeful they will keep an open mind as they consider the project. He stated that Mr. Barrett would like to get into a more detailed discussion regarding how the project may look and the potential layout. He asked them to also understand that all of that work will cost Mr. Barrett money and time so before he spends

that time and money he would like some confidence that he is heading in the right direction. He stated if there is no support for the project Mr. Barrett will need to go back to the drawing board.

Commissioner Residori stated that he felt that the zoning and development of the property will duplicate itself on other properties along Washington Boulevard. He stated that the EDC needs to decide if that is what they want. Council Member Bigler stated that is not what he wants. Commissioner Residori stated that he personally does not like strip mall development because all people see are parking areas and buildings. Mr. Herold stated there is an option to pull the strip malls to the street and wrap the apartment and townhome development around them to provide a “U” shaped buffer. He reiterated he and Mr. Barrett would like to sit down with the Planning Commission and City Council to see if that is an option, but he needs some feedback regarding whether he is heading in the right direction.

Council Member Stoker stated that she personally does not think the City will accommodate or support the apartment and townhome development; it does not have the right feel to her. She stated that the City hired Mr. Godfrey to be the Economic Development consultant and she thinks that his opinion is of great value and he has a good vision of how North Ogden will look at build-out. She stated she does not agree that certain businesses will not locate in the City because she has always had confidence that they will. She stated that she does not think that big-box stores will come to the City because the population will not support them, but she is not in favor of the proposed design and development.

Council Member Bigler stated he is also not in favor of the proposed design; it is not the direction that he would like the project to go in.

John Reeve stated that more studies should be conducted by the City before deciding to “chop off” big chunks of property. He stated the problem he sees is that the City is requiring a person to use his own money to warehouse property that might be filled with commercial uses five or 20 years from now. He stated Ogden City redeveloped their downtown area, but they owned the ground and they ultimately sold it to private developers to develop the property. He stated he understands that the property was zoned for commercial development when Mr. Barrett purchased it, but there are traditionally options for rezoning properties after they change hands. He reiterated Mr. Barrett is being asked to warehouse the property until the right development comes along. He stated the City needs to think about the property rights of the property owners when considering this type of project. Council Member Bigler stated that he would feel completely different if Mr. Barrett purchased the property with a different zoning and the City Council changed the zoning to commercial after he had purchased it. He stated that Mr. Barrett purchased the property knowing that he may have to sit on it and wait to develop it. Mr. Barrett stated that is actually not the case. He stated that he has worked with Mr. Barker on this project. He stated he has worked on the project for 10 years and he has known for years that the property would need to be “down-zoned”. He stated the previous property owners, the Hancock’s, bit off a “big animal” by opting for a 50 acre retail development, which will absolutely not happen today or in the future. He stated the retail market has changed and many people do their shopping via the internet. He stated that the thing this community is missing right now is a place for the next generation to buy their first home; the members of the EDC are missing the opportunity to provide their children with a place to anchor themselves. He added those rooftops

will create the need for additional commercial retail uses and this type of development is necessary in order for the Front Runner to be connected to the City. He stated that he feels the City is holding the developer hostage because someone in 2000 miscued by allowing commercial zoning 1,815 lineal feet from Washington Boulevard. He stated he does not know what the City was thinking back then and he pointed out that a Wal-Mart will typically only sit 1,250 feet back from a major corridor. Mr. Herold stated they will actually only sit 800 feet from a corridor. Mr. Barrett stated he reiterated that he does not know what the City was thinking, but this is not a new discussion and he has been working on this for year. Council Member Bigler asked who Mr. Barrett was working with. He stated that experienced developers understand that they must follow a legal process and there is never one employee in the City that can promise the zoning of a property will be changed. He reiterated that Mr. Barrett purchased the property knowing its zoning designation and to try to now pressure the City Council to rezone the property so that he does not have to sit on it is not acceptable. He stated that Mr. Barrett could have applied for a change in the zoning before purchasing the property.

Mr. Reeve stated that he was hired by the Hancock's to develop the property when they still owned it. He stated they wanted to get the most money out of their property as possible and they felt the best way to do that was to zone it for commercial development. He stated he tried to tell them that was not viable and that big-box retailers would not come to the site. He stated the Hancock's ultimately lost their property to the bank and Mr. Barrett purchased it from the bank with no desire for the commercial zoning. He stated he understands the City zoned the property for commercial use after working with the Hancocks. He stated that Mr. Barrett has hired Mr. Herold to give a fresh look at the subject property and the potential development in order to determine how much acreage of commercial is actually needed at the site. He stated some commercial development is appropriate, but the main commercial hub should be in the downtown area of the City. He stated North Ogden could opt for commercial development all the way down Washington Boulevard similar to the development that has occurred in Ogden, but that development is deteriorating and looks terrible and he thinks Mr. Godfrey would agree with that after working to redevelop the downtown area of Ogden. He stated he thinks the City's focus should be on the main hub of the City rather than on this subject property.

Mr. Chandler stated that he wanted to make two points: first he wanted to beg to differ with Mr. Reeves and he noted that according to zoning laws a property owner has a right to develop their property, but they do not have the right to develop it any way they want to. He stated they have the right to develop in accordance with the zoning laws established by the City Council. He stated that just because a developer wants to get the highest value out of their property does not mean the City must accommodate all of their wishes. He stated the second point is that when he compares the two different development plans for the property he finds that Mr. Barrett has reduced the amount of commercial space by 200 feet and gained 155 residential units; the residential units increased from 245 to 400.

Council Member Bigler stated he would like to ask the rest of the EDC to provide their input in order to give Mr. Barrett some direction. He stated he thinks it is premature to consider this project after the City has hired Mr. Godfrey to explain what the community needs. He stated he thinks that process is working excellently. He stated he would like to hear what the other EDC



members have to say and then he would like to move on; the EDC has heard the presentation and it is time to move on.

Mr. Barrett stated that he would like to point out one other item. He stated that he has 16.5 acres of property currently under contract and that property is not currently located in the City and would need to be annexed; this is the Grace Hancock parcel and it is presently being farmed and that use can continue, but the idea is that he will bring 16.5 acres into the City and the City will also be getting something out of the project. He then stated the other thing he wanted to point out is that he does not know what is lost by changing the C-2 zoning. He stated he does not really know what the argument is and he noted there are seven acres of frontage property that will still be zoned C-2. He stated the other thing he has the ability to do is provide assisted care within C-2 zoning and he thinks the market will support that type of use. He stated that out of 30 acres he is only asking for 18 acres to be rezoned. He stated that he wants to talk about how to develop that remaining acreage into something other than a big-box; there are many things that are allowed in a C-2 zone that do not make sense for the property and he has looked at all of these options very closely. He stated he does not think that many of the surrounding property owners would appreciate many of those allowed uses next to their property. He stated he thinks Mr. Barker would agree that he has worked very closely with the City for several years on this project and he is open to fresh ideas, but he is also giving back to the City at the same time. He stated he wants to meet the market demand, but he also wants to try to reduce the heavy burden that is being placed on him.

Mr. Herold stated he wanted to make one additional point as well. He stated that the comment was made that the type of development that occurs on the subject property will continue on the adjoining parcels along Washington Boulevard. He stated that if he were to develop a suburban mixed-use project and that type of use were to extend along the Washington Boulevard corridor, that would relocate the central downtown area of the City and the new downtown area would not be supported by proper infrastructure. He stated that is something for the City to think about from a long-term planning perspective. He stated that the site plan is not set in stone and he and Mr. Barrett are open to comments and recommendations, but in order to get to the point of revising the plans he needs some feedback.

Commissioner Residori asked the EDC if the Planning Commission should continue to consider an ordinance regarding the creation of a mixed-use zone. He stated that from his understanding if the property is zoned for residential use there are many different options opened to the developer.

Council Member Bigler stated he would prefer that the Planning Commission not work on a mixed-use zone at this time. He stated he feels there are two different things happening in the City. He stated Mr. Godfrey is working on many things for the City and the information he has provided so far is great, but the EDC is being asked to make decisions on the side about other issues. He stated he would like to continue the current course and continue to hear from Mr. Godfrey in order to see what develops.

Council Member Fawson stated that he thinks that the City needs to consider a mixed-use ordinance sooner rather than later simply because it is needed for other developments in the City



as well. He stated that not doing anything is not the right answer. Council Member Bigler stated that the City needs to have a definition of mixed-use. Council Member Fawson stated that he does not consider Mr. Barrett's proposed development a mixed-use development and he noted it is more of a transitional development. He stated he is not in favor of the high density housing although he does see the need for lower priced housing. He stated this is a stark contrast from the residential development located to the west of the subject property.

Council Member Bailey stated that he thinks the City is creating a template and he thinks it is important to review and update the General Plan so that everyone knows where the City wants to go. He stated that Plan needs to tie in with the Economic Development Plan so that all processes are cohesive.

Council Member Taylor asked when the update of the General Plan is slated to begin. Mr. Chandler stated the budget for the updates needs to be approved and then it will be necessary to narrow the scope of the project. He stated that he has included \$75,000 in the budget for the work to be completed and that is not sufficient to fully rewrite the Plan; that cost would usually be around \$150,000. He stated that once the budget is approved it will be necessary to determine the scope in order to express to a professional services contractor what the City is trying to accomplish. Mr. Barker added he is currently working on two documents: a request for qualifications (RFQ) for potential contractors, and a request for proposals (RFP) to solicit bids for the work.

Council Member Bailey asked how to marry the desires of the Economic Development Plan with the General Plan. Mr. Barker stated that it is typical to establish an advisory committee to work on those types of issues. He stated there would be representation from the Planning Commission, City Council, and other interested parties.

Council Member Bailey stated one of the things he has heard during tonight's presentation is that there is a large piece of commercial property that was zoned that way because the Hancock family requested it and that was not borne out based on current planning standards. Mr. Chandler stated the rezone took place in 2007. Council Member Bailey stated he is sensitive to the needs and desires of Mr. Barrett, but he thinks that the City needs to approach the development of the property in a comprehensive way in order to meet all the needs of the City.

Council Member Taylor stated he agrees with Council Member Bailey and he added that comprehensive update of the General Plan is necessary and that these issues should be discussed with residents in the City. He stated that he wants to be fair to residents and developers alike and in order to do that he thinks the Council needs to consider how to fund comprehensive updates or a rewrite of the General Plan with a real focus on economic development. He stated many things have changed in the City since the last time the Plan was updated and it is appropriate to provide developers a comprehensive picture of what they can and cannot do in the City.

Mayor Harris stated that the EDC is being asked to make a recommendation regarding the potential development of the subject property. He stated he also thinks that a comprehensive General Plan is needed in the City and that Plan can be tied to several different documents and resources available to the City.

Council Member Bailey inquired as to all the facets of a General Plan. He asked what would be left out if comprehensive updates are not possible. Mayor Harris stated that if there is enough money available the Plan will be updated for the entire City, but if not, the Plan will only be updated for certain areas of the City. Mr. Barker stated that a General Plan is comprehensive in itself, but the \$75,000 would not provide funding for updates to the recreation, transportation, and natural hazards and other conditions sections of the Plan. Council Member Bailey stated that a comprehensive update may not be needed. Mr. Chandler stated that the most important part of the Plan is the mapping; it should be possible for the Planning Commission – when they receive a zoning application – to look at a map and understand the General Plan for the subject property in order to guide the decision they make. He stated that the Plan also includes sections regarding residential density and the City's zoning ordinances are patterned after that information.

Council Member Bigler stated that he feels like the City is already working on the General Plan by way of working with Mr. Godfrey. He stated that Mr. Godfrey asked the City what he should look at and he is now working to determine what is feasible and realistic for the City. He stated he thinks the preliminary work is already being done and he thinks the process is going very well so far. Mr. Godfrey added that he would also recommend adding to the General Plan the vision for the total build-out of the City and then project the cost of providing services to the population at build-out. He stated that the economic planning portion of that process is to provide feedback and explain how much commercial development is needed to provide tax revenues to serve the City at build-out. He stated if that is not done, the City will be boxed in to raising property taxes at some point.

Mayor Harris stated that the City also needs to consider several other questions and some raised this evening, such as where the next generation of residents will live.

Council Member Bigler stated that he wants to make sure the Plan is updated in the correct manner to ensure that it will serve the City for the long term. He stated that Mr. Barrett's commercial property extends so far to the west and he would not mind if some of that property were developed into single-family homes. He asked Mr. Barrett if he would consider developing a portion of the property that way if the City were to consider changing the zoning prior to updates to the General Plan. Mr. Barrett stated that he feels compromise is necessary and he wants to be careful to not have too many competing uses on the property. He stated there is an absorption rate and the builder has said they are working within a 24 to 30 month build-out period for the 70 residential lots. He stated he would be more comfortable with townhomes because there is a demand for them right now. He stated there is a similar development on 2700 North and they are very popular. He stated he is trying to meet the market and he would consider something similar to the phase IV concept because it would be better than being stuck where he is at right now.

Council Member Stoker stated her biggest concern is that the townhomes on 2550 North or 2000 North are on top of each other and she thinks it looks terrible. She stated that people that own homes in those areas cannot sell them because no one wants to move in next to the townhomes. Mr. Barrett stated that he and Mr. Godfrey discussed the design elements for these types of developments. He stated those elements are necessary in order to provide the overall community feel that everyone desires. Council Member Stoker stated that one of the pictures that Mr.

Herold provided was nice, but it was hard for her to picture what such a development would look like in the overall development.

Council Member Bigler stated that he is not only concerned about what the townhomes look like; he is also concerned that the type of housing will determine the type of people that move into them. He stated he is not sure if there have been any studies regarding those issues, but there are currently quite a few condominiums available for young couples. Mr. Barrett stated that he owns a workforce housing project in Alaska and there are some things that he has found very interesting about the project. He stated that at public meetings regarding the project some citizens referred to occupants of apartments as “those people” and he has been shocked to see the types of people that rent the units; they are travelling nurses and doctors, attorneys, and single mothers. He stated all of those people also need a place to live. He stated low income housing has gotten a “bad rap”, but he is not talking about building the type of project that people read about in the newspaper when reading a story about crime. He stated that he will provide something with amenities and it takes a large density to create a community and park-like feel at such a development.

Mr. Maynard stated that at the beginning of this discussion the EDC was given four options to choose from and he asked for the third and fourth option to be summarized. Mayor Harris stated the third option was to leave the zoning of the property unchanged and the fourth option was to develop a mixed-use zone in the City.

**Wade Bigler made a motion to select option three and leave the zoning of the property unchanged.**

**The motion died for lack of a second.**

Council Member Bailey stated that he believes he is attending this meeting as an observer and not as a voting member or someone that can put forth a motion. He stated he thought only one or two Council Members were part of the EDC. After a short discussion, the consensus was that all members of the Council are also members of the EDC.

Council Member Fawson asked Mr. Godfrey what kind of time frame he needs to assist in developing a mixed-use zone for the City. He asked if the Planning Commission should be urged to move in the direction of considering an ordinance or if they should wait for additional information. Mr. Godfrey stated he feels that the Planning Commission is ready to move forward with development of a zone. He stated an economic analysis would be nice to have, but that is more of a General Plan issue. He stated that from a mixed-use standpoint, he has provided two sample ordinances that he felt would be appropriate for the Planning Commission to consider and Mr. Barker has done a good job of combining the two documents into one. He stated he thinks it is time to move forward and he would love to participate in that discussion.

Council Member Bigler asked if the City Council has been given copies of the sample ordinances. Mr. Chandler stated the City Council has received what the Planning Commission has received. Mr. Godfrey stated discussion of the ordinances is very important because different people can interpret the same document differently and it is critical to make sure there

is good dialogue and clear understanding to ensure that the ordinance is right. Mayor Harris agreed with Mr. Godfrey and stated there have been discussions of some of the restrictions that can be placed on mixed-use development and he wants to ensure there is also some flexibility to provide for unique situations. Mr. Barker stated that is the struggle and the Planning Commission will work to interpret the proposed ordinances with Mr. Godfrey's assistance.

**Council Member Taylor made a motion that the EDC recommend that the Planning Commission and Economic Development staff consider an ordinance developing a mixed-use zone in the City and provide a recommendation or report; and to recommend that the City Council consider a comprehensive update to the General Plan as soon as possible. Council Member Fawson seconded the motion.**

Council Member Stoker stated that she would like Mr. Godfrey to be involved in the discussions about what mixed-use is. Council Member Bigler agreed and stated that a definition of mixed-use also needs to be provided because there has been a lot of discussion about what mixed-use actually is. He stated that every member on the Planning Commission may have a different idea of what mixed-use is and the definition needs to fit North Ogden. He stated the City is not an urban city and it never will be. He stated that every member of the Planning Commission and City Council needs to be on the same page in making decisions. Mr. Barker agreed and stated he suspected the Planning Commission will ask for a joint meeting with the City Council when they are getting close to making a recommendation. Council Member Bigler asked if the Council could work with Mr. Godfrey to help provide a definition so the Planning Commission does not waste their time developing something that the Council is not comfortable with. Mr. Barker stated that Mr. Godfrey, Mr. Chandler, and the City Council will be provided with a copy of the draft ordinance once it is prepared and they can provide comments or feedback to the Planning Commission. He stated the Planning Commission would then review the document at length before providing a recommendation to the City Council.

Council Member Taylor stated that he understands that Council Member Bigler is asking that the City Council be involved sooner in the process. Mr. Barker stated that would be helpful. Council Member Taylor stated it would also be good to get residents involved in the preliminary discussions before the proposal becomes more detailed.

Council Member Bigler then asked about the section of Council Member Taylor's motion relative to the update to the General Plan. He asked what that will entail and if it will be necessary to hire a contractor to perform those updates at the same time that the City is trying to develop a mixed-use zone ordinance. Mr. Chandler stated he cannot answer that question at this point. He reiterated the first step in the General Plan update process is to develop a scope of work and that will be completed before the City solicits bids for the work. Council Member Bigler asked Council Member Taylor what he was thinking when he included that in his motion. He stated that he is not sure if it is a good idea to have two different entities meeting on two different subjects. Mr. Chandler stated that one thing to consider is that the General Plan includes more than just economic development. Council Member Bigler asked if updates will be made to impact the entire City, or if the updates will only be relative to the economic development aspect of the Plan. Mr. Chandler stated that some areas of the City will not change so it will not be necessary to change the sections of the Plan dealing with those areas. He stated

other areas will need more scrutiny. Council Member Bigler stated he is unclear on the updates to the General Plan. He stated he wants to make sure there is not more than “one chief” if there is another entity working on the General Plan. He stated that he feels the type of discussion that has taken place tonight is progression towards updating the General Plan.

Council Member Taylor stated that the EDC is simply making a recommendation and his motion was that the process to update the General Plan begin as directed by City Administration and that the Planning Commission continue to work with Mr. Godfrey to develop a mixed-use zone ordinance. He stated that process can begin and the General Plan process will be overseen by Mr. Chandler. He stated the EDC would not oversee that process, though the group would be involved. Mayor Harris stated that the efforts of the two groups working on the two separate projects would be coordinated to ensure there is no duplication of work or conflicting resolutions. He stated he thinks it is critical that both projects move forward together.

Mr. Maynard stated that tonight’s discussion has been relevant, but the EDC has not answered what the Planning Commission asked of them. He stated the Planning Commission asked how the group felt about development along Washington Boulevard and he believes the consensus is that commercial zoning should be protected, at least for a certain distance back off the road, though they have not agreed on a defined distance from the road. He asked if the EDC is comfortable sending that recommendation back to the Planning Commission.

Council Member Bigler stated he would feel more comfortable with including in the motion direction to work on the economic development aspect and save the other decision for a Council meeting to ensure that discussions regarding that issue are open to the public.

Council Member Bailey stated Council Member Taylor’s motion was to recommend that the Council move forward with updates to the General Plan. Council Member Bigler stated he understands that and he would rather that decision be made in a Council meeting.

**Council Member Taylor amended his motion. He moved to recommend that the zoning of the subject property remain unchanged until the City Council and residents can have a more comprehensive discussion regarding the project and application. He stated those discussions need to take place expediently so that developers are not waiting years for an answer about their applications.**

Council Member Fawson stated he is not sure he is comfortable with that change to the motion. He stated all the original motion did was make a recommendation that the City move forward in some fashion with updating the General Plan. Council Member Taylor stated that is correct. Council Member Fawson stated that proposal will come back to the City Council and this is not authorization to spend \$75,000 on the updates.

Mayor Harris asked if there is a second for Council Member Taylor’s amended motion.

**Mr. Maynard seconded the amended motion.**

Council Member Fawson stated that he does not think a blanket statement that the zoning of the property will remain the same is appropriate. Mr. Maynard stated that it will only stay the same until the updates to the General Plan are completed. Council Member Bigler stated that he felt the rezone application could be considered when the economic development portion of the General Plan is complete. He stated that it is not necessary to wait for all sections of the Plan dealing with all areas of the City to be complete. He stated he will not be comfortable making any changes to the zoning until the economic development portion of the Plan is complete. He asked Council Member Taylor to clarify that in his motion.

Council Member Bailey stated all the EDC is doing is making a recommendation to the Planning Commission and City Council and no binding decisions are being made this evening. Council Member Bigler asked why a motion is necessary to make a recommendation. Council Member Bailey stated that this is a recommending body and they can make recommendations to the Planning Commission and City Council and that is all that is being done at this point. Council Member Bigler stated the Planning Commission has nothing to do with approving updates to the General Plan. Council Member Bailey agreed and stated Council Member Taylor's motion was to make a recommendation to the Council to proceed with updates to the General Plan and to make a recommendation to the Planning Commission to consider a mixed-use zone ordinance. Council Member Bigler stated that he understands the recommendation to the Planning Commission, but he is questioning the part of the motion regarding the General Plan. Council Member Bailey reiterated all the EDC is doing is making a recommendation to the City Council to move forward with updates to the General Plan.

Mayor Harris asked Council Member Taylor to restate his motion.

**Council Member Taylor made a motion to recommend that the City Council, in an expeditious manner, begin General Plan evaluations including evaluations regarding economic development; to recommend that the Planning Commission, in conjunction with the economic development advisor, begin discussions regarding mixed-use zoning and analysis; and that the current zoning for the subject property remain unchanged until the other two discussions have taken place. Mr. Maynard seconded the motion.**

**Voting on the motion:**

<b>Mayor Harris</b>	<b>yes</b>
<b>Brent Taylor</b>	<b>yes</b>
<b>Rich Brewer</b>	<b>yes</b>
<b>Charles Lindquist</b>	<b>yes</b>
<b>Larry Residori</b>	<b>yes</b>
<b>Wade Bigler</b>	<b>yes</b>
<b>Jenice Jones</b>	<b>yes</b>
<b>Shawn Maynard</b>	<b>yes</b>
<b>Justin Fawson</b>	<b>yes</b>
<b>Cheryl Stoker</b>	<b>yes</b>
<b>Kent Bailey</b>	<b>yes</b>



**The motion passed unanimously.**

## **2. Update on the Economic Development Plan**

Mr. Godfrey reported there are four activities that he has spent a lot of time on over the past month. He stated there is a significant retailer that wants to come to the market; they have approached the City and asked for \$1.5 million to solidify their project. He stated that he has told them that is not possible, but that the City will work to find other ways to make the project happen without writing them a check. He stated the prospective retailer initially asked for \$700,000, but after soil testing was completed at their site revealing shocking information, they increased their request to \$1.5 million. He stated they are putting the burden on the City to solve their issues. He stated he has spent a lot of time working on the project and he has found ways to cut the \$1.5 million request dramatically and he has another proposal to make that will completely eliminate the subsidy. He stated it will require the retailer doing something they have never done before at any of their other stores by way of using a new energy source. He stated it is a great opportunity for the community and the retailer and he thinks that the project may be on track; the retailer has been granted extensions on the purchase of the property.

Council Member Bigler inquired as to the length of the extensions. Mr. Godfrey stated that he is not sure of the extension date; they were initially supposed to close on the sale during the second week of April. He stated he feels very good about what he and the City have delivered to the retailer and the City is not holding the project up at this point. He then reported there is another big-box retailer that is looking to locate in the area; they are moving very slow and very quietly and he is not sure if they are waiting to see what happens with the other project or if they will come irrespective of that. He stated there is far less maintenance required on the City's part to keep them interested, but they have still been slow to react. He then reported on the redevelopment of the Kirt's site. He stated there were initially three property owners owning the majority of the site that needed to be redeveloped. He stated he has contacted all of them and received verbal agreement to move forward, but since that time one of the owners has sold his portion of the property and another owner asked to join in the redevelopment. He stated that the plan has been redrafted and as of this week all four property owners are interested in proceeding with an RFQ to test the market to see if there are developers interested in redeveloping the site. He stated this is being done without spending any of the City's money, but final approval of the City will be necessary. He stated that once the City receives responses to the RFQ he will meet with City Administration and ultimately the City Council to see if there is a development concept worth moving forward with. He stated it will likely require some changes in zoning. He then reported the fourth project is related to the third project; he has spent quite a bit of time recruiting tenants for the site and there are four tenants interested in the redevelopment site. He stated that he feels it is important to move forward while tenants are interested because that is what allows projects to move forward. He stated he feels his news is fairly positive, with the exception of the continued negotiations with the first big-box retailer he referenced.

Council Member Bigler asked if the big-box retailer has a high interest in locating in the area. Mr. Godfrey answered yes and stated he feels they are very motivated to make the project happen.

Ms. Jones asked if the four tenants referenced by Mr. Godfrey are only interested in the King's redevelopment area or in North Ogden in general. Mr. Godfrey stated they are interested in North Ogden in general and their interest has not been site specific. He stated he has used the numbers from the Pizza Pie Café; it is the second most productive store in their chain and it is the best opening they have had and they are very pleased. He stated he has used that in his pitch to other retailers in the area as well as data regarding the demographics and the success of other local retailers. He stated that has helped him generate better responses than the City was receiving just six months ago.

Ms. Jones asked if Mr. Herold, who spoke about the development of the Country Boy Dairy property, has any sway in preventing certain retailers from coming to the area. Mr. Godfrey answered no; three weeks ago Mr. Herold was soliciting his help in getting a big-box retailer to come to his site. He stated he knows they are interested, but he thinks he is correct that the big-box retailers will not locate in the southern part of the City because they will favor the downtown area of the City. He stated it is important to forecast and determine what development is appropriate over the short term and long term of the City. Mayor Harris agreed that forecasting is everything.

Council Member Bigler asked if the extension that has been given to the big-box retailer is between the property owners and the retailer regarding purchasing the property. Mr. Godfrey answered yes. He stated the retailer has asked the property owners for a reduction in the purchase price. Council Member Bigler stated that there was a discussion in the last meeting about the property owners' willingness to negotiate and he asked if they have done that and reduced the price of their property. Mr. Godfrey stated he has not had a final conversation with the property owners about that issue, but they have been provided with the soils report so they can see the problems that exist and the cost to solve the problem. He stated there is one component that the retailer has not provided the City with yet; there is a need to make structural building enhancements in order for the retailer to build on the property and he does not have financial data regarding those enhancements yet. He stated he told the retailer he cannot go to the property owners until he has a final number to use in negotiating a final price.

Mayor Harris asked for an update regarding the Community Development Block Grant (CDBG) application. Mr. Godfrey stated the CDBG is now administered by the WFRC and he put together an application while communicating frequently with the WFRC about the project they were applying for funding for. He stated he was guided throughout the process and he followed all that guidance. He stated that the projects are self-scored and the final score was 56, which was 12 points higher than any other application in the previous year. He stated when he submitted the application and was sure that he would receive an award. He stated the highest category of points was in job creation and he committed to a number of jobs that would be created with the funding. He stated the application was awarded zero points out of a possible 20 for job creation. He stated the person that was guiding him on how to submit the application said that a survey of the population was not necessary because the project would create jobs. He stated even having taken 20 points out of the total; the application was one point shy of being funded. He stated that one of his employees was very forceful with the WFRC in a conference call because he feels the City was short-changed. He stated the City should have received the money. He stated WFRC has not conceded, but they know they were wrong. He stated he does

feel very confident that next year the City will receive CDBG funding as a result. Mr. Chandler added that he and Mr. Godfrey and Mayor Harris called the WFRC and they reported that they were using a different definition of job creation than the definition the City was considering when preparing the application. He stated he anticipates WFRC will expand their definition of what job creation actually means.

Mayor Harris asked how much funding the application was for and what it would have been used for. Mr. Godfrey stated that the idea was to use the money to pay for his services and the economic development work that he is planning to do for the City over the next two years. There was then a short discussion about the CDBG application process with Mayor Harris reporting that type of funding is necessary for cities like North Ogden in order to jump start the economic development process. He agreed that he thinks the City will receive a different response to the CDBG application next year.

Council Member Bigler inquired as to the status of discussions with The Boyer Company regarding the property they are marketing on the west side of Washington Boulevard. Mr. Godfrey stated the process is slow moving; there is some interest in the property, but the City will need to be patient on that property and work on executing the other projects at hand right now. He stated the property may sell immediately once other projects proceed. He stated he feels the demographic of the City supports additional retail.

Mayor Harris thanked Mr. Godfrey for all his work and all the information he has provided this evening.

#### **4. Next Meeting**

Mayor Harris reported the next meeting of the EDC will be held Tuesday, July 30, 2013 at 5:30 p.m.

#### **5. Public/Committee Comments**

Council Member Bigler asked if the EDC can receive any updated information via email rather than waiting until July 30 to become aware of what has happened relative to some of the projects that were discussed this evening. Mr. Godfrey stated he will make Mr. Chandler and Mayor Harris aware of any developments and they can disseminate the information accordingly.

#### **6. Adjournment**

Mayor Harris closed the meeting at 7:54pm.

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EDC Chairman

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EDC Secretary

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Date Approved